



49 Market Street
Morristown, NJ 07960-5122
Tel 973.992.4800 Fax 973.992.9125
WWW.FOXROTHSCHILD.COM

MICHAEL R. HERZ
Direct No: 973.548.3330
Email: MHerz@FoxRothschild.com

September 1, 2022

VIA CM/ECF AND EMAIL

Honorable Christine M. Gravelle
United States Bankruptcy Court
for the District of New Jersey
402 East State Street
Trenton, NJ 08608

Re: Assuncao Bros., Inc.
Case No. 22-16159 (CMG)

Dear Judge Gravelle:

On behalf of Assuncao Bros., Inc. (the “Debtor”), the debtor and debtor-in-possession in the above-referenced chapter 11, subchapter v case, please accept this letter as a supplement to the Debtor’s *Motion for Entry of an Order Authorizing Rejection of Certain Executory Contracts and Unexpired Leases Effective as of the Petition Date* (the “Rejection Motion”) [D.I. 57] that was filed on August 16, 2022 and is returnable September 6, 2022. The deadline to file objections to the Rejection Motion was August 30, 2022. No objections or responses were docketed or otherwise communicated to the Debtor.

Schedule 1 of the proposed form of order submitted with the Rejection Motion listed the executory contracts and unexpired leases to be rejected. The schedule, as originally submitted, included several bonded projects that have since been rejected pursuant to the consent order (the “NGM Consent Order”) between the Debtor and its surety, NGM Insurance Company, that was entered by the Court on August 29, 2022 [D.I. 95]. In light of the NGM Consent Order, attached hereto is a proposed form of order for the Rejection Motion with an updated Schedule 1 removing the contracts for the bonded projects that were rejected in the NGM Consent Order. No other revisions have been made to the proposed order.

A Pennsylvania Limited Liability Partnership



Honorable Christine M. Gravelle
September 1, 2022
Page 2

It is respectfully requested that the attached proposed form of order with the updated Schedule 1 be entered should the Court determine to grant the Rejection Motion.

Respectfully submitted,

/s/ Michael R. Herz

Michael R. Herz

MRH:mls
Enclosure